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<b>From:</b> William D. Pegg	<b>Date:</b> August 4, 2010	<b>No. of Pages:</b> 4 (including this page)	
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 PTOL 413A (10-09)  
 Approved for use through 07/31/2012. OMB 0651-0031  
 U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

### Applicant Initiated Interview Request Form

Application No.: 10/594,803      First Named Applicant: Alfred Thomas  
 Examiner: Chase E. Leichter      Art Unit: 3714      Status of Application: First Office Action

**Tentative Participants:**

(1) William D. Pegg, Reg. No. 42,988      (2) Jason S. Kray  
 (3) Examiner Leichter      (4) \_\_\_\_\_

Proposed Date of Interview: 8/5/10      Proposed Time: 11:00 AM (EST) (AM/PM)

**Type of Interview Requested:**

(1) ☒ Telephonic      (2) ☐ Personal      (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☐ YES      ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>102/103 Rej.</u>	<u>New Claim 56</u>	<u>Boesen &amp; Jackson</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

☒ Proposed Amendment or Arguments Attached

**Brief Description of Arguments to be Presented:**

Applicants wish to explain the subject matter of the proposed new claim 56 and the reasons it is patentably distinct over the applied references, Boesen and Jackson.

An interview was conducted on the above-identified application on \_\_\_\_\_.

**NOTE:** This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

\_\_\_\_\_  
 Applicant/Applicant's Representative Signature

\_\_\_\_\_  
 Examiner/SPE Signature

\_\_\_\_\_  
 Typed/Printed Name of Applicant or Representative

\_\_\_\_\_  
 Registration Number, if applicable

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.13 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*

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The following proposed claim amendments and remarks are presented for discussion purposes only.

### **Proposed New Claim**

56. (Proposed New Claim) A method of playing a wagering game on a gaming terminal, the gaming terminal being one of a plurality of gaming terminals, the plurality of gaming terminals being linked to a plurality of prize pools, the method comprising:

using a processor to conduct the wagering game, the wagering game having an outcome randomly selected from a plurality of possible outcomes, the plurality of possible outcomes including a first outcome and a second outcome, the second outcome being different from the first outcome;

displaying the randomly selected outcome on a display device;

increasing an amount of a first set of one or more of the prize pools in response to the first outcome, and increasing an amount of a second set of one or more of the prize pools in response to the second outcome, the second set being different from the first set; and

awarding one or more of the prize pools in response to the randomly selected outcome being a prize-pool award outcome.

### **Remarks**

#### **35 U.S.C. §§ 102, 103**

The pending claims are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Publ. No. 2002/0151354 ("Boesen") or under 35 U.S.C. § 103(a) as being unpatentable over Boesen in view of U.S. Pat. No. 7,481,430 ("Jackson").

Proposed new claim 56 recites, *inter alia*, "increasing an amount of a first set of one or more of the prize pools in response to the first outcome, and increasing an amount of a second set of one or more of the prize pools in response to the second outcome, the second set being different from the first set" and "the second outcome being different from the first outcome." In

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other words, proposed new claim 56 requires increasing different prize pools based on the occurrence of different outcomes during a wagering game.

Boesen, Jackson or any combination thereof fail to disclose, teach or suggest at least these claimed elements. Rather, Boesen only discloses increasing the value of a single jackpot based on the occurrence of certain events during the playing of a game. Boesen, ¶¶ 11-12. And Jackson discloses a conventional progressive jackpot wagering game in which the value of jackpots are increased only based on a percentage of the money deposited into the gaming machine. Jackson, col. 3, lns. 42-52. Moreover, the method disclosed by Jackson expressly requires that eligibility for one or more progressive jackpots is based only on the number of coins deposited into the gaming machine as this provides an incentive for the player to deposit greater amounts of money into the gaming machine. Jackson, col. 4, lns. 4-15, col. 3, lns. 27-29.

Accordingly, in view of the foregoing, Applicants respectfully submit that the applied references fail to provide sufficient grounds for rejection of proposed new claim 56.